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ABSTRACT

In its examination of the circumstances surrounding recent disorders and the closing of state colleges and universities in Ohio, the select committee held hearings at each institution, received testimony and exhibits from persons within and outside the academic community, and gathered information from studies conducted in other states. Directed to identify the main causes of student unrest, the committee found that most specific underlying reasons involve problems that arise from and must be solved by universities themselves. Findings and recommendations are presented in the areas of: standards of conduct and discipline, faculty rights and obligations, university operations, campus security and law enforcement, and organized efforts to disrupt. (JS)

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ROBERT E. LEVITT
STATE REPRESENTATIVE
DISTRICT 91

INTERIM REPORT

OF THE

SELECT COMMITTEE TO INVESTIGATE CAMPUS DISTURBANCES

TO THE

108TH OHIO GENERAL ASSEMBLY

PURSUANT TO AM. SUB. S. CON. R. NO. 34

As directed by Amended Substitute Senate Concurrent Resolution No. 34, adopted June 1, 1970, your select committee to investigate campus disturbances has been examining the facts and circumstances surrounding the recent disorders and closing of state colleges and universities in Ohio. Hearings have been held at each state and state-supported university, and at the Statehouse. Volumes of testimony and exhibits have been received, from hundreds of persons from both within and outside academic communities, and representing the entire range of involvement and concern, knowledge and opinion. Your committee has also received information on the subject of campus unrest from other states studying the problem, and from various other sources. In addition, it has examined materials prepared by special staff and by staff of the Legislative Service Commission, as well as others.

Pursuant to its charge, the committee directed its main inquiry to pinpointing the causes of student unrest. It was found that most of the specific underlying causes involve problems arising from within the academic communities themselves. While pollution, poverty, women's rights, racism, the Southeast

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Asian war, and other issues of national and international prominence are sources of deep and legitimate concern to students, just as they are sources of concern to everyone, they are by no means the exclusive origins of student restiveness. More closely related to campus unrest are frustrations over problems frequently peculiar to academic communities, and sometimes peculiar to individual campuses. Issues of national and international prominence, however, are often the catalysts which prompt some students to act out their frustrations in unruly behavior.

Although campus problems appear to be the primary causes of student unrest, it should be emphasized that they do not apply to or affect all campuses alike. This interim report is restricted, however, to a general discussion of the more immediate problems, and, with a few exceptions, no attempt is made to differentiate among universities.

Many of the problems mentioned in this report have been building for the past decade or so. In many instances, concerted efforts of administrators, faculty, and students have successfully resolved problems as they have arisen, and the committee commends these efforts. Obviously, however, many serious problems have so far eluded successful solution by the academic communities.

The committee recognizes that most of the problems besetting our campuses can be solved without legislative action, inasmuch as existing law grants broad powers to state university

authorities to govern the universities. It is therefore apparent that legislative mandates aimed at solving campus problems must amount in most cases to limitations on the power of the universities to manage their own internal affairs. Moreover, it is undesirable for any legislature to attempt the actual management of the universities.

It is appropriate, therefore, that the academic communities themselves solve those problems for which the remedies are within their power to administer. Failure will mean total loss of public confidence in the ability of administrators to govern the universities, of faculty members to fulfill their obligations as educators, and of students to pursue their studies with diligence, mature judgment, and self-restraint. In that melancholy event, direct legislative involvement would be inevitable.

It should be emphasized in the strongest possible terms that however enormous a problem appears, whatever the vexation it causes, however slow its solution seems to be in forthcoming, it neither justifies nor excuses disruption or violence. Such conduct not only creates problems in itself, but also prevents rational assessment of the justice of particular grievances, and, in a larger sense, is destructive of the true purposes of a university. Those guilty of such conduct do not belong in the academic community, and should be excluded without equivocation.

Also, debate and expressions of concern by members of the academic community over political and social issues are not only legally protected activities, but are encouraged and expected. As an institution, however, a state university should not be used as a political instrument -- such use is incompatible with its public character. No matter how representative of the academic community they may be, those who attempt to politicize a state university seek the betrayal of its broader responsibility to all the citizens of this state, and hinder fulfillment of its primary mission of education.

Finally, it should be made clear that although the potential for mass disorder may have abated somewhat over the summer, evidence indicates the existence of organized efforts by a few persons to destroy our universities, and there is a very real possibility that attempts at disruption and violence will be renewed. To prevent this, each member of the academic community must avoid involvement with any person or group holding that such tactics are proper or necessary tools of reform. Each member must exercise continuing vigilance to see that his own expressions of legitimate concern are not turned to the use of any such person or group.

Many facets of the subject of campus unrest require further, intensive examination. In addition, this committee, on behalf of the General Assembly, shall continue to observe the progress being made by the academic communities in effecting internal reforms, and to remain alert to possible future acts

of disruption and violence. As the fall term is now upon us, however, your committee considers it timely to state those tentative findings and conclusions dictated by the evidence now in hand. Accordingly, your committee respectfully submits the following as its interim report, pending further study.

I. Standards of Conduct and Discipline

A. Findings.

1. The committee found a substantial lack of unanimity among and within academic communities as to the minimum standards of conduct to be expected of students. In addition, there is some confusion on the part of administrators and faculty members as to their duties and responsibilities in providing guidance and leadership in the enforcement of proper conduct. Further, there is a marked tendency to excuse or ignore misconduct. Consequently, there is a significant amount of equivocation with respect to imposing discipline for misconduct, and, when disciplinary action is taken, an inclination to bow to pressures to grant amnesty.

2. Substantial testimony revealed that academic communities often attempt to shield their members from prosecution for criminal conduct. This is manifested most often by a reluctance to report even some serious crimes to law enforcement authorities. There is also a widespread misconception that criminal prosecution does, or should, preclude university disciplinary action, and that the academic community

has no legitimate concern with the off-campus conduct of its members. In cases where it is determined that particular criminal conduct of a student ought to be the subject of disciplinary action, the usual practice is to make such action dependent upon the outcome of criminal prosecution, despite the fact that the offender frequently may still be guilty of misconduct meriting university disciplinary action even though he is found not guilty of a specific criminal offense.

3. It was found that, among universities, there is often a vast difference in the range and application of sanctions for misconduct. Although it is legally permissible and may be appropriate in some cases, summary suspension is seldom used. It was also found that Ohio law is not clear that students guilty of serious misconduct should be denied state financial assistance.

4. The committee found that disciplinary procedures vary considerably among institutions, but that all appear to be cumbersome in some respects, and particularly ill-suited to handling mass misconduct, such as ordinarily occurs during a campus disturbance. Also, the manner in which due process requirements in disciplinary matters are met varies, but most universities have a tendency to adopt the elaborate requirements of criminal due process, despite the fact that established legal standards do not impose such requirements in an academic setting.

5. Although the disciplinary procedure outlined in Am. Sub. H. B. 1219, 108th General Assembly, applies only in the case of arrest for enumerated crimes committed under specific circumstances, it was found that the Act is commonly misconstrued as providing a complete substitute for, rather than a supplement to, established university disciplinary authority with respect to the enumerated crimes, whether or not arrest for a criminal offense is involved.

B. Recommendations.

1. The committee recommends the adoption of a code of minimum standards of conduct and discipline, applicable to all students in state or state-supported institutions of higher education. This might be done by direct legislative action, by requiring the Board of Regents to promulgate such a code, or by requiring that universities submit proposed codes to the Board of Regents for final approval for purposes of standardization.

The code should specify minimum standards of conduct for students, the range of sanctions which may be applied for misconduct as well as guidelines for imposing such sanctions, and model disciplinary procedures designed to insure both fundamental fairness and dispatch. The code should also require universities to provide competent personnel for its enforcement.

The minimum standards of behavior contained in the code should at least provide that students are required: to abide

by the law and the rules of the institution; and to refrain from culpable conduct which tends to disrupt lawful activities at such institution, interfere with the rights of others, or bring discredit upon the academic community.

The range of sanctions provided in the code should at least include expulsion, summary suspension, suspension, disciplinary probation, reprimand, and warning. The guidelines for imposing disciplinary sanctions should be designed to impose sanctions commensurate with the gravity of the misconduct, but it should be provided that at least the following merit expulsion or suspension: felonious misconduct; misconduct involving moral turpitude; drug abuse; misconduct involving or threatening disruption or injury to persons or property; cheating; plagiarism; and persistent misconduct whatever its gravity. The guidelines should also provide that summary suspension may be imposed when a university official having disciplinary authority witnesses the offense, or when any such official has reasonable cause to believe that the good order and discipline of the institution or the safety of persons or property require that the offender be summarily suspended.

The code should also provide for the following due process requirements: reasonable notice to the accused of the misconduct with which he is charged; a fair opportunity to defend himself before an impartial board or disciplinary officer, and one administrative review to determine the regularity of the

proceedings and of the sanctions imposed. When summary suspension has been imposed, the hearing and review should follow promptly.

The code should specify that disciplinary proceedings must be expeditious, and that during the pendency of any such proceedings the award of any grades, course credits, honors, or degrees shall be stayed. The code should make it clear that university discipline is an administrative matter, entirely separate from the criminal law. University disciplinary action and criminal prosecution are independent proceedings, and neither depends upon the outcome of the other, substantively, procedurally, or in point of time. The imposition of a criminal penalty does not and should not prevent the imposition of disciplinary sanctions, or vice versa.

2. Financial assistance should not be given to any student guilty of serious misconduct, regardless of his academic standing. Because of the many different kinds of assistance available, and the interplay of state and federal statutes and regulations in this area, further study is needed to determine precisely what legislation may be necessary to effect this policy.

3. A general statute, similar to statutes in effect in a number of states, should be enacted requiring the reporting of serious criminal conduct to appropriate law enforcement authorities, and providing a penalty for the deliberate and

unexcused failure to do so.

4. The committee reminds all administrators that Am. Sub. H. B. 1219, 108th General Assembly, does not replace normal university disciplinary procedures, but supplements such procedures only when an arrest is made for a comparatively narrow range of crimes committed under specific circumstances. Furthermore, such act does not provide for summary suspension. The committee urges all universities to immediately review their codes of conduct and discipline, in light of both section 3345.21 of the Revised Code and Am. Sub. H. B. 1219. Such codes should provide for summary suspension as well as other sanctions, and should cover the types of conduct contained in Am. Sub. H. B. 1219.

II. Faculty Rights and Obligations

A. Findings.

1. The committee received a number of complaints that some faculty members and teaching assistants have been derelict in their responsibilities to meet instructional obligations, to provide guidance in proper conduct to students, and to maintain order. Instances were reported where faculty members had condoned or actively encouraged disruptive activities by students and had even participated in such activities, had failed to teach the scheduled course content, had failed without excuse to meet scheduled classes, had made unwarranted and repeated use of obscene language in open class, and before other

students had ridiculed and degraded students holding political and social opinions opposed to their own.

2. It was found that although responsible faculty members generally deplore derelictions in professional obligations by their colleagues, there is little or no enforcement of professional discipline. In part, this stems from a fear that discipline in such matters would interfere with academic freedom. The committee also found lack of uniformity in disciplinary procedures for faculty misconduct.

3. The committee received a substantial amount of testimony and evidence revealing a marked tendency to de-emphasize teaching in favor of research and publication. In part, this appears due to the fact that research and publication, and not teaching, weigh most heavily in gaining professional recognition and advancement. Since teaching and counseling graduate students provide the best opportunities for research and publication, it was found that graduate students tend to monopolize a disproportionate share of many faculty members' time, and that undergraduate courses, and particularly freshman and sophomore courses, tend to be left more to junior faculty members and teaching assistants.

4. A number of complaints were received concerning the quality of the instruction in certain courses, and it appeared that such complaints most often centered about junior faculty members and teaching assistants. It was found that university

teachers, unlike elementary and secondary school teachers, are not required to undergo even rudimentary training in techniques, and whether or not they have any training or experience in teaching at the outset is usually a matter of chance. Further, they receive little or no supervision in their instructional duties.

5. One criticism frequently leveled at faculty members is that many do not make themselves sufficiently accessible to students for guidance and consultation. The committee found justification for this criticism, but it also found that most faculty members conscientiously try to hold themselves available to students, but that students frequently do not trouble themselves to seek out faculty members for consultation. Also, large class size sometimes makes it impossible for faculty members to give more than token individual attention to students.

6. It was noted that in many universities the employment, advancement, and discharge of faculty members has largely been assumed by department chairmen and academic deans, with little supervision being exercised from higher administrative levels. Further, the methods for monitoring the performance of faculty members are haphazard, and at many institutions apparently little or nothing is done in this regard. Classroom performance is seldom monitored. Some universities provide for student critique of faculty performance, and some do not.

7. The committee found that although in most universities tenure is granted to faculty members only after they have completed a more or less extended period of service, in some cases it is granted without any probationary period at the institution granting it. It was also suggested to the committee that tenure is used to protect a faculty member from the consequences of incompetence or misconduct.

8. It was asserted to the committee that some research projects are undertaken by the universities, which projects are either unrelated to the educational function, or hinder its performance in some degree. In this connection, it was stated that in many cases time spent on research by faculty members is time which would do greater service if spent in teaching. At one university, it was revealed that nearly one-third of the total complement of faculty members do not teach, because their full time is occupied in research.

B. Recommendations.

1. The committee recommends the adoption of a code of minimum standards of professional conduct and discipline. Like the code of student conduct and discipline recommended in this report, such code might be adopted by direct legislative action, or the Board of Regents might be required to promulgate such a code, or universities might be required to submit proposed codes to the Board of Regents for final approval for purposes of standardization.

Such code should set forth the obligations of faculty members to their schools, with particular reference to their instructional obligations, and also to their duties to provide students with guidance in proper standards of conduct, and to maintain order. The code should define academic freedom, and state with some particularity the rights and responsibilities embraced by the concept. Such code should also reflect the fact that the personal behavior of faculty members cannot entirely be disassociated from their professional lives.

The code should provide appropriate sanctions for professional and personal misconduct, together with guidelines for imposing such sanctions.

Adequate provision should be made in such code to insure that faculty members accused of misconduct have reasonable notice of the charges against them, are afforded a fair opportunity to defend themselves before an impartial board or officer, and that one administrative review is available to determine the regularity of the proceedings and the sanctions imposed. Provision should be made for the privacy of the proceedings at the accused's request.

The code of faculty conduct and discipline should provide that whether an offender is tenured or not is irrelevant to the imposition of appropriate sanctions for misconduct.

2. The committee recommends that tenure not be granted to a faculty member until he has demonstrated his competence

and suitability during a probationary period at such institution. In the case of an experienced faculty member coming from another institution, the probationary period should not be less than one academic year, with longer minimum periods specified in other cases.

3. The committee recommends that at least some instruction in teaching techniques or experience in teaching should be required to qualify prospective faculty members and teaching assistants for their positions. Senior faculty members charged with supervising junior faculty members and teaching assistants should take appropriate measures to monitor and evaluate the performance of those under their supervision, and to insure that they acquire increasing competence as teachers.

4. The committee recommends that universities immediately evaluate the effectiveness of their respective policies, methods, and procedures in regard to the accessibility to students of not only faculty members but administrators at all levels, for guidance and consultation. Every effort should be made to maintain a high level of personal contact and to provide students with as much personal attention as possible. In this regard, the committee reminds administrators and faculty members that it considers undergraduate programs to be of primary importance to any university, and suggests that senior faculty members should give increased attention to such programs, and should give particular attention to freshmen and sophomores, who in

the committee's opinion are often those most in need of mature guidance and counseling. Further, the committee suggests that universities should emphasize their instructional functions, and consider research functions as important, but clearly secondary.

5. The committee recommends that additional study be given to the employment, advancement, performance, and discharge of faculty members, with a view to determining the best methods of insuring that adequate supervision is exercised in such matters, that teaching performance is given due recognition, and that faculty members have at the outset, and maintain, a high level of competence. In this connection, also, the alternatives for monitoring faculty performance should be examined.

6. The committee recommends that further study be given to research projects being carried on by the universities, with particular attention to: the origins of such projects; how such projects relate to the main mission of the university; the number of faculty members engaged in such projects; and the extent to which research projects may unduly limit the availability of faculty for teaching duties.

III. University Operations

A. Findings.

1. The committee received substantial testimony and evidence indicating that while large size may of itself create problems, many of the problems currently besetting our campuses are directly traceable to rapid growth, coupled with a lag in the development of administrative and academic policies and procedures necessary to effectively assimilate the greater number of students.

A number of factors, in addition to population growth, were cited as contributing to the size and rapid growth of state universities. These included the open admissions policy contained in state law, an inclination on the part of parents and students to opt for four-year degree programs, shortcomings in career guidance programs on the secondary school level, and the method of allocating appropriations among the universities.

The open admissions policy contained in Ohio law requires state universities to admit any resident who is a graduate of an accredited high school, regardless of his academic promise. Although this requirement undoubtedly affects the growth and size of state universities, the committee observed that its full potential impact is modified in practice. For example, students whose academic standing or promise is low are frequently placed at branch campuses or in special programs, or granted a delayed admission. Also, there is an early and high attrition

rate due to academic failure.

Another factor contributing to the growth and size of state universities was stated to be a tendency of students and their parents to look upon a bachelor's degree as a prerequisite to future success, and thus to overlook the educational and career possibilities in two-year associate's degree and technical training programs. It was asserted that career guidance programs in the secondary schools place undue emphasis on four-year college degrees, but that at the same time many high school graduates entering four-year degree programs are not suitably prepared to undertake them. It appears probable that many students, for whom other types of institutions might be better suited to their career goals, educational needs, and aptitudes, are prompted by these conditions to seek admission to the universities.

Another element to which the growth and size of the state universities was attributed is the method of allocating state funds among these institutions on a per student basis with a premium for graduate students. This encourages the universities to enlarge their graduate programs as well as increase their overall enrollment, in order to secure more funds, despite the risk that the increased size might be at least temporarily unmanageable.

The committee noted that the Ohio Board of Regents, in connection with its duty to plan the course of higher education

in Ohio, is engaged in a study involving, among other things, the effects and relationships of the foregoing factors.

2. The committee found that an increasingly annoying problem with respect to university administration is the diffusion of authority, whereby major decision-making functions are parcelled out to committees variously composed of students, faculty members, and administrators. Although any such committee can legally have only an advisory status, it was found that their decisions often are relied upon as substitutes for decisions on the part of the administrators having the legal responsibility and authority for making them. In part, this appears due to bona fide efforts by university administrators to secure necessary information and advice from faculty and students. In part, it appears to represent administrative surrender to increasingly clamorous demands by faculty and students for control of university affairs. It was pointed out that such committees frequently deal with matters beyond the experience or competence of some or all of their members, and require weeks and even months to reach decisions which a competent administrator might make in a matter of hours or days. Further, it appeared that such committees often exceed the scope of their commission. A number of instances were related in which university administrators had been subjected to immoderate abuse for rejecting the recommendation of a committee, or for taking a course of action disapproved by, or without the prior

approval of, a body of students and faculty. As a result, many administrators appear to have found it more and more expedient to delegate many responsibilities and de facto authority to such bodies.

3. The complaint voiced most often in the course of the committee's hearings was that there is a lack of communications among and between the members of the academic community. The committee finds that administrators, faculty members, and students must all share a portion of the responsibility for the failure. On one campus, an instance of failure of proper liaison of faculty members among themselves and with administrators, was possibly a key factor in renewed violence and the ultimate closing of the university. In several other cases, feelings were bitter over apparent administrative failure to recognize or deal with various campus problems, when in fact the failure was not over the problems themselves but a failure of public relations, and particularly of keeping students reliably informed. At some universities, for example, the administrations appear unable to effectively use available campus news media. Further, instances were reported in which responsible students attempted to secure from university officials information necessary to prove or disprove various accusations by radical elements concerning university affairs, but were unable to secure such information due to administrative inertia or outright antagonism. The end result was that the disruptive elements

received undeserved support, because many students interpreted
the posture of university officials in such cases as lending
credibility to the accusation. The committee observed that the
level of disruption at a university appears to be inversely
proportional to the degree of success with which administrators,
faculty members, and students rationally exchange and evaluate
information and opinions. The committee also observed that
many students who complained that the university did not listen
to them based their accusations on the fact that the university
disagreed with them, had not acceded to their demands, or had
not acted on reasonable suggestions in an unreasonably short
time.

4. The committee found that at some universities, course
registrations are on a first-come-first-served basis and limited
by quota, and this works a hardship on some students who are
unable to get into a course but need it to graduate and are
obliged to attend school an extra quarter or more. To some
extent, this problem arises out of a shortage of available
faculty coupled with large overall enrollment. In part, the
problem is due to inflexible or antiquated procedures for
forecasting course demand and registering students.

5. It was found that overcrowded and substandard housing
is a serious source of irritation to students on many campuses.
Dormitory rooms frequently house half again or double the number
of occupants for which they were originally designed. In

addition, the committee heard complaints that off-campus housing is scarce, and that high rents are charged for sub-standard quarters.

6. The committee found substantial evidence that drug abuse is a serious problem at universities in this state. Instances were reported of faculty members encouraging drug use, and even engaging in illicit drug traffic. At least one instance is known of drugs being distributed openly and in quantity in the midst of a large, unruly gathering. It was also observed that when apparent drug abuse or drug traffic is observed, it is frequently not reported to law enforcement authorities. Although a few universities are making efforts to provide counselling for drug users, the problem generally is ignored on other campuses.

7. A number of witnesses asserted that the movement to close the universities last May received more support than it would have received had the universities insisted that no credit could be given for incomplete work. Instead, various devices were used to permit students to receive grades and course credits, even though course work was stopped short of normal completion when the institutions closed. In addition, on some campuses, fee refunds were made. The committee notes that pursuant to a recent amendment to its rules, the Board of Regents intends to withdraw all state funds from universities shut down by reason of disorder.

B. Recommendations.

1. The committee recommends additional in-depth study to determine, among other things: the effect campus size has on academic quality and administrative operations; whether the open admissions policy contained in Ohio law should be retained, modified, or repealed; whether individual universities should be assigned areas of emphasis in educational programs; the impact of instructional grant programs; how and in what way the role of branch campuses, community colleges, technical institutes, and other educational institutions can or should be expanded; and how impetus may be given to two-year programs for those whose educational needs do not require four-year programs. In addition, an examination should be made to determine the effectiveness of secondary schools in preparing students for higher education, and in guiding them into advanced programs best suited to their goals, needs, and aptitudes.

In connection with these and other questions related to the effectiveness of higher education in Ohio, the committee requests that the Board of Regents accelerate its studies under H. R. 180, H. R. 245, and related areas, and make its report to the General Assembly at the earliest practicable moment.

2. It is recommended that boards of trustees take immediate action to eliminate the diffusion of authority and responsibility in the administration of the universities. Areas in which responsibility and authority may be delegated, and to

whom, should be clearly delineated, and appropriate procedures instituted to insure that delegates properly and promptly perform their assigned tasks. There should be no question that ultimate authority and responsibility to govern the university rests with the board of trustees, and that the president is the university's chief executive. While committees composed of students or faculty, or both, are useful forums whereby the governing authorities of a university may gain perspective on the needs of the academic community, it should be made clear that such bodies can only function in an advisory capacity, and have no authority to mandate action. They may request and suggest, but not require. Administrators should have no hesitation in rejecting the advice of any such committee if in their judgment such advice would not be in the best interests of the academic community. Further, administrators should not refrain from taking necessary action pending advice from any committee appearing disposed to inordinate delay.

3. The committee recommends that administrators use all the methods, techniques, and media at their disposal to see that faculty members and students are regularly and reliably informed of policies, decisions, and work in progress on issues and problems of importance to the academic community. When students or faculty members seek information relating to matters of interest on campus, the committee sees little reason for administrators to be secretive. In addition, administrators

should insure that they are currently informed on the problems and needs of the academic community and all its members. Further, students and faculty members should take an active and responsible part in university affairs, and should also take the initiative to see that administrators are kept informed of their problems and needs, as well as those of the academic community as a whole, bearing in mind the necessity for acting toward others at all times with courtesy, consideration, and respect.

4. The committee urges that efforts to relieve the problems of overcrowded classes, registration, and close-out of registration be accelerated. Computer technology and other modern methods and equipment should be utilized to provide effective pre-registration, and to aid in forecasting course demand. Priority should be accorded advanced students in registering for courses required for their graduation.

5. The committee recommends that universities should not permit any dormitory room to be occupied in excess of its designed occupancy. Concurrently, the committee recommends that further study be given to the operation of Ohio's dormitory financing law, to determine its precise impact on the problem of overcrowded housing. In addition, the committee suggests that

universities should take appropriate action, within their authority, to regulate off-campus housing of students, to see that such housing meets reasonable standards of decency at fair rentals.

6. The committee recommends that all universities institute an immediate, intensive, and continuing program to eliminate drug abuse on campus. Such program should at least include instruction in recognizing the signs of drug abuse, in the dangers of the practice, and in the treatment and rehabilitation facilities and programs now available in Ohio. The necessity for reporting drug use and traffic to appropriate authorities should be stressed.

7. The committee will give further study to the question of prohibiting the awarding of grades or course credits for work not regularly completed, and, in the case of a university forced to close because of disorder, of the propriety of refunding fees for an unfinished academic period, and of paying wages and salaries, except to essential personnel.

IV Campus Security and Law Enforcement

A. Findings.

1. The committee found that although there are many competent men employed as campus security officers, as a general rule campus security officers are underpaid and insufficiently trained. In addition, campus security agencies are seriously understaffed.

2. The committee also found that although campus security officers have police responsibilities, their authority to make decisions normally associated with such responsibilities is in question, since they are answerable to a university administrator or, in some cases, to several administrators at once. A number of instances were reported of security officers observing criminal conduct and placing the offender under arrest, but being subsequently directed to drop all charges. One such instance involved serious, multiple acts of vandalism. In a similar vein, the committee found that some university authorities often discourage local law enforcement officers from coming onto campus to enforce the law. In one instance, city officials and university authorities had agreed, in writing, that city police would not come onto campus to enforce the law without the prior approval of university officials, with certain exceptions.

3. Much testimony was received on the effectiveness of the Highway Patrol in dealing with campus disturbances, even though its numbers were comparatively small at each place where it was employed. The training and discipline of the Patrol was the subject of almost universally favorable comment, and it was repeatedly suggested that its jurisdiction and strength be expanded to aid in dealing with disorder not only on campuses, but also in adjacent and related areas. It was noted by the committee that the Patrol's existing jurisdiction in this respect

is strictly limited by law.

4. The committee noted that Ohio law provides that concurrent duty and authority to enforce the law on state university campuses rests with campus security forces, municipal police, the county sheriff, and the Highway Patrol, with the Ohio National Guard to act in aid of these when directed. The law, however, does not make clear the duty and authority of such agencies when two or more are engaged in law enforcement. The committee found that the absence of a clear understanding of duties for the various agencies involved on campuses during the May disorders as well as the frequent absence of effective prior planning, often resulted in serious lack of coordination among law enforcement agencies, and a consequent reduction in the effectiveness of their overall efforts.

5. It was found that intelligence -- collection, collation, evaluation, and dissemination of information -- is a vital police function, and a necessary part of forecasting and preventing or controlling disorders. In many police agencies, however, this function is either not performed, or is performed by non-specialists in addition to their other duties. Statewide, the intelligence function is inadequate.

6. The committee found that identification of offenders

during a disorder is a difficult problem in law enforcement. The most successful efforts in this regard occurred at those campuses where photographers were employed throughout the disturbances in May.

7. It was found that the free access to campus of persons who have no legitimate business there is the source of a number of problems not only during campus disturbances, but at other times as well. Judging by arrest records, over half of the participants in some of the recent disorders were nonstudents. Around many of the larger campuses are enclaves of persons living in what is termed a "subculture." It was reported to the committee that these enclaves present a disproportionate number of police problems, and that their members make free use of the nearby campuses. Also, it was reported to the committee, that non-students are sometimes living in dormitories, and make use of university eating facilities. The committee notes that Am. Sub. H. B. 1219 addresses itself to trespass on campuses during a disorder. It was frequently suggested to the committee, however, that the trespass laws of Ohio are inadequate to control unauthorized access to university property.

B. Recommendations.

1. The committee recommends legislation designed to provide a high level of competence in campus security forces, by establishing minimum training and other requirements. Such legislation should also provide that the chief of campus security

must be an experienced, professional law enforcement officer. Also, it should be clearly provided that campus security officers have the same obligation and authority to arrest offenders as other law enforcement officers, and university administrators and faculty members should be prohibited by law from interfering with the normal processes of arrest and prosecution for criminal conduct. Such legislation should also encourage cooperation between university authorities and local government officials, but it should be clear that campus authorities have no authority to hinder or prevent local law enforcement officers from enforcing the law within their jurisdictions, including on campus.

2. The committee recommends that all universities immediately evaluate their campus security program, with a view to increasing the number and competence of security forces to an effective level. Pay scales for officers should be designed to be competitive with pay scales for other law enforcement officers.

3. The committee recommends that the strength of the State Highway Patrol immediately be expanded. In addition, the committee recommends legislation to expand the jurisdiction of the Highway Patrol to permit it to operate effectively during campus disorders.

4. The committee recommends legislation clarifying the duties and authority of the various law enforcement agencies

having jurisdiction on state university campuses. Such legislation should spell out the duties and authority of each of such agencies when more than one is involved in a police action, and should require all such agencies to coordinate their efforts in advance through planning.

5. The committee recommends legislation providing for the establishment and efficient operation of an intelligence network within and among all law enforcement agencies in Ohio, and providing for the collection, collation, evaluation, and dissemination of information on criminal activity in this state. Such network should be coordinated with similar efforts in other states and the federal government. In addition, the committee strongly recommends that intelligence services now being performed by the State Highway Patrol immediately be expanded and intensified, and that particular emphasis be placed on information related to campus unrest and the possibility of future disruption.

6. The committee recommends that law enforcement agencies, including campus security forces, maintain photographers on call for service during disorders, to aid in the subsequent identification of offenders.

7. The committee recommends legislation to control trespass upon university property, for use as a law enforcement tool in denying access to campuses to persons having no legitimate business there.

V Organized Efforts to Disrupt

A. Finding.

The committee received evidence indicating that the May disorders were not entirely spontaneous, but were in part the result of deliberate, planned attempts at fomenting violence. There was testimony that the number of persons involved in deliberate violence is small, but that some are well-trained and financed, and that elements of a conspiracy exist. Also, there is information that attempts will be made to renew disruption and violence at the universities.

B. Recommendation.

The committee recommends that further, intensive, immediate study be given to determine whether and to what extent the recent campus disorders were planned or managed, to what extent, if any, such efforts are part of a statewide or nationwide conspiracy. In addition, an investigation should be instituted, giving particular attention to evidence of plans for future disruptions. The Ohio laws respecting incitement, criminal syndicalism, and conspiracy should be studied to determine their adequacy with respect to the types of conduct found to be involved.

VI Conclusion

In its interim report, the committee has stated that further study is needed at least in the following areas: the nature of legislation needed to insure that financial assistance is not wasted on students guilty of serious misconduct (Recommendation I-B-2); the employment, advancement, performance, and dismissal of faculty (Recommendation II-B-5); the conflict between teaching and research (Recommendation II-B-6); questions related to the future directions of higher education in Ohio (Recommendation III-B-1); dormitory financing (Recommendation III-B-5); the awarding of grades and course credits for incomplete work, and the refund of fees when campuses are closed due to disorder (Recommendation III-B-7); and evidence of a conspiracy to disrupt higher education (Recommendation V-B).

The committee has further stated, with respect to those campus problems which ought to be solved by the academic communities themselves, but which are not or cannot be solved by them, that legislative solutions will be necessary.

In addition to the issues discussed in this interim report, there are other matters which have been before the committee, and to which the committee will be giving further consideration.

Accordingly, the committee will continue its work, and in this connection will visit the campuses of the state universities, first, to pursue those inquiries concerning which further study is needed, and second, to consult with

administrators, faculty members, and students on what progress has been and is being made by the academic communities in resolving their own problems. In addition, the committee intends to acquire immediate and first-hand knowledge with respect to any campus disorder which may occur. If in the course of its continuing inquiries the committee determines that legislation is urgently needed to correct any problems or prevent disorder and prosecute offenders, it will request the Governor to call a special session forthwith.